



**CITY OF LARKSPUR
Staff Report**

February 6, 2019 City Council Meeting

DATE: January 18, 2018
TO: Honorable Mayor Morrison and the Larkspur City Council
FROM: Sky Woodruff, City Attorney
Jamie Kuryllo, City Clerk
SUBJECT: WAIVE SECOND READING AND ADOPT ORDINANCE NO. 1032 CLARIFYING THE
CODIFICATION OF ORDINANCE NO. 1026

ACTION REQUESTED

That the City Council waive the second reading and adopt Ordinance No. 1032.

SUMMARY AND BACKGROUND

On November 7, 2018, the Larkspur City Council adopted Ordinance No. 1026 to amend the Larkspur Municipal Code to add new regulations of massage business. Section 1 of Ordinance No. 1026 stated, "Title 5 (Business License and Regulations) of the Larkspur Municipal Code is amended to add a new Chapter 8.10 (Regulation of Massage Businesses), replacing Larkspur Municipal Code Section 5.34.110, to read as follows . . ." As a result of a typographical error, "Chapter 8.10" should have been "Chapter 5.49" and the Sections of the new Chapter should have been numbered 5.49.010 through 5.49.110.

The purpose of this Ordinance is to clarify the numbering of the Chapter and Sections of the Municipal Code added by Ordinance No. 1026. Ordinance No. 1026 was properly adopted and remains in effect, unchanged by the adoption of this Ordinance other than as to the numbering of the Chapter and Sections added to the Municipal Code.

At the January 16, 2019 City Council meeting, Council waived the first reading and introduced the Ordinance.

STAFF RECOMMENDATIONS

Waive the second reading and adopt Ordinance No. 1032.

Respectfully submitted,

Sky Woodruff, City Attorney
Jamie Kuryllo, City Clerk

Attachments

- 1. Ordinance

**CITY OF LARKSPUR
ORDINANCE No. 1032**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LARKSPUR CLARIFYING THE
CODIFICATION OF ORDINANCE NO. 1026**

WHEREAS, on November 7, 2018, the Larkspur City Council adopted Ordinance No. 1026 to amend the Larkspur Municipal Code to add new regulations of massage business;

WHEREAS, Section 1 of Ordinance No. 1026 stated, "Title 5 (Business License and Regulations) of the Larkspur Municipal Code is amended to add a new Chapter 8.10 (Regulation of Massage Businesses), replacing Larkspur Municipal Code Section 5.34.110, to read as follows . . .";

WHEREAS, as a result of a typographical error, "Chapter 8.10" should have been "Chapter 5.49" and the Sections of the new Chapter should have been numbered 5.49.010 through 5.49.110; and

WHEREAS, the purpose of this Ordinance is to clarify the numbering of the Chapter and Sections of the Municipal Code added by Ordinance No. 1026. Ordinance No. 1026 was properly adopted and remains in effect, unchanged by the adoption of this Ordinance other than as to the numbering of the Chapter and Sections added to the Municipal Code.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LARKSPUR DOES HEREBY
ORDAIN AS FOLLOWS:**

Section 1: The provisions of the Municipal Code added by Ordinance No. 1026 shall be codified in a new Chapter 5.49, the sections thereof to be numbered 5.49.010 through 5.49.110, with any cross-references to section numbers changed accordingly. The text of the provisions added to the Municipal Code by Ordinance No. 1026 otherwise remain unchanged. Ordinance No. 1026 remains in effect as of its effective date without substantive alteration or amendment.

Section 2: Compliance with the California Environmental Quality Act. The Ordinance is categorically exempt from California Environmental Quality Act ("CEQA") pursuant to the general rule in Section 15061(b)(3) of the CEQA Guidelines that CEQA applies only to projects which have the potential for causing a significant effect on the environment. This Ordinance does not have the potential for causing a significant effect on the environment.

Section 3: Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 4: Effective Date and Publication. This ordinance of the City of Larkspur shall be effective thirty (30) days after the date of its passage. Before expiration of fifteen (15) days after its passage, this ordinance or a summary thereof as provided in California Government Code Section 36933, shall be published at least once in a newspaper of general circulation published and circulated in the City of Larkspur, along with the names of the members of the City Council voting for and against its passage.

IT IS HEREBY CERTIFIED that the foregoing ordinance was duly introduced at a regular meeting of the Larkspur City Council held on January 16, 2019 and thereafter passed and adopted by the Larkspur City Council on February 6, 2019 by the following vote, to wit:

AYES: COUNCILMEMBER:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

ABSTAIN: COUNCILMEMBER

MAYOR

ATTEST:

CITY CLERK
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